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FAIR POLITICAL PRACTICES COMMISSION
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Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of)	FPPC No.: 00/059
)	
95/5, PUT THE MONEY WHERE THE)	STIPULATION, DECISION and
KIDS ARE/YES ON PROP #223 and)	ORDER
KINDE DURKEE,)	
)	
Respondents.)	
)	

Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and Respondents 95/5, Put the Money Where the Kids Are/Yes on Prop #223 and Kinde Durkee hereby agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter, and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

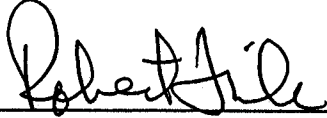
Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in sections 83115.5 and 11503 of the Government Code, and in section 18361 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondents' own

1 expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to
2 testify at the hearing, and to have an impartial administrative law judge preside over the hearing as a
3 hearing officer.

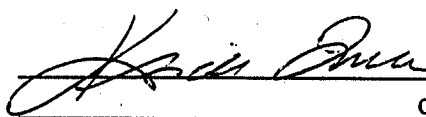
4 It is further stipulated and agreed that Respondents violated the Political Reform Act by failing
5 to report sub-vendor information in violation of Government Code section 84303 (2 counts), as
6 described in Exhibit 1, which is attached hereto and incorporated by reference, as though fully set forth
7 herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

8 Respondents agree to the issuance of the Decision and Order, which is attached hereto.
9 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
10 of Four Thousand Dollars (\$4,000). A cashier's check from Respondents in said amount, made payable
11 to the "General Fund of the State of California," is submitted with this Stipulation as full payment of the
12 administrative penalty, and shall be held by the State of California until the Commission issues its
13 Decision and Order regarding this matter. The parties agree that in the event the Commission refuses to
14 accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the
15 Commission meeting at which the Stipulation is rejected, all payments tendered by Respondents in
16 connection with this Stipulation shall be reimbursed to Respondents. Respondents further stipulate and
17 agree that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the
18 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
19 shall be disqualified because of prior consideration of this Stipulation.

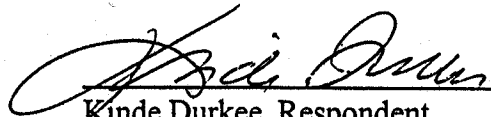
20
21 Dated: 9/17/02


for Mark Krausse
Executive Director
Fair Political Practices Commission

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23
24 Dated: 9/13/02


on behalf of 95/5
Put the Money Where the Kids Are/Yes on Prop #223,
Respondent

25
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28 Dated: 9/13/02


Kinde Durkee, Respondent

1 **DECISION AND ORDER**

2 The foregoing stipulation of the parties “In the Matter of 95/5, Put the Money Where the Kids
3 Are/Yes on Prop #223 and Kinde Durkee, FPPC No. 00/059,” including all attached exhibits, is hereby
4 accepted as the final decision and order of the Fair Political Practices Commission, effective upon
5 execution below by the Chairman.

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7 IT IS SO ORDERED.

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9 Dated: _____

10 Karen A. Getman, Chairman
11 Fair Political Practices Commission
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